

# PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A04.3.P.3 to permit a residential building setback of 40' in an RC-5 District in lieu of the required 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. An attempt is being made to construct the house as radial as possible to the cul de sac.
2. The 60' building envelope is too narrow to accommodate the size home that is consistent with the other homes in the neighborhood or the restrictions.
3. By allowing the variance as noted, the house will properly sit on the lot & be more in line with the other proposed homes.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_ Legal Owner(s): \_\_\_\_\_  
(Type or Print Name) (Type or Print Name)  
Signature \_\_\_\_\_ Signature \_\_\_\_\_  
Address \_\_\_\_\_ Address \_\_\_\_\_  
City and State \_\_\_\_\_ City and State \_\_\_\_\_

Attorney for Petitioner: \_\_\_\_\_  
(Type or Print Name) (Type or Print Name)  
Signature \_\_\_\_\_ Signature \_\_\_\_\_  
Address \_\_\_\_\_ Address \_\_\_\_\_  
City and State \_\_\_\_\_ City and State \_\_\_\_\_

Attorney's Telephone No.: \_\_\_\_\_ Address \_\_\_\_\_ Phone No. \_\_\_\_\_

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day

of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock.

*[Signature]*  
Zoning Commissioner of Baltimore County.

(over)

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: \_\_\_\_\_ Date of Posting: \_\_\_\_\_  
Posted for: \_\_\_\_\_  
Petitioner: \_\_\_\_\_  
Location of property: \_\_\_\_\_  
Location of Signs: \_\_\_\_\_  
Remarks: \_\_\_\_\_  
Posted by: \_\_\_\_\_ Date of return: \_\_\_\_\_  
Number of Signs: \_\_\_\_\_

September 16, 1986

Paul J. Feeley, Esquire  
211 Courtland Avenue  
Towson, Maryland 21204

RE: Petition for Zoning Variance  
SE/S of Sawmill Court, 2300'  
NE and SE of the c/l of  
Sweet Air Road  
(14227 Sawmill Court)  
10th Election District  
Case No. 87-111-A

Dear Mr. Feeley:

Please be advised that your request for a zoning variance in the above referenced Petition, has been granted in accordance with the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

JUAN M. H. JUNG  
Deputy Zoning Commissioner

JMH:jbs

Attachments

cc: Mr. & Mrs. Daniel J. Feeley  
17 Sunnyvale Court  
Cockeysville, Maryland 21030  
People's Counsel

IN RE: PETITION FOR ZONING VARIANCE  
SE/S of Sawmill Court, 2300'  
NE and SE of the c/l of  
Sweet Air Road  
(14227 Sawmill Court)  
Daniel J. Feeley, et ux  
Petitioners

BEFORE THE  
DEPUTY ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 87-111-A

The Petitioners herein request a zoning variance to permit a residential building setback of 40' in lieu of the required 50' in an RC-5 zone in order to construct a home.

Testimony on behalf of the Petitioners indicates that the building site is located on a cul-de-sac. The location of the septic area prohibits the residence from being built further to the rear of the lot. Covenants of the subdivision require a dwelling with a specified minimum square footage and an attached garage. For aesthetic reasons, it is highly desirable to place the house radial to, i.e. facing, the cul-de-sac.

There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BC2B) would result in practical difficulty and unreasonable hardship upon the Petitioners, it is determined that the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of September 1986, that the herein request for a zoning variance to permit a residential building setback of 40', in accordance with the petition submitted and identified as Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order.

*[Signature]*  
Deputy Zoning Commissioner  
of Baltimore County

## ZONING DESCRIPTION

Beginning on the SE/S of Sawmill Court 2300 feet of the centerline of Sweet Air Road.

BEING KNOWN AND DESIGNATED as lot #19, as shown on the Plat entitled, "Mill Gate," which Plat is recorded among the Land Records of Baltimore County in Plat Book EHK, JR. No. 53, folio 124.

Containing 1.205 acres in the 10th Election District would also be known as 14227 Sawmill Court.

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
SE/S Sawmill Ct., 2300' NE & SE : OF BALTIMORE COUNTY  
of c/l of Sweet Air Rd., :  
10th District :  
DANIEL J. FEELEY, et ux, : Case No. 87-111-A  
Petitioners :

## ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*[Signature]*  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

*[Signature]*  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 12th day of August, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Daniel J. Feeley, 17 Sunnyvale Ct., Cockeysville, MD 21030, Petitioners.

*[Signature]*  
Peter Max Zimmerman  
Peter Max Zimmerman

## PETITION FOR ZONING VARIANCE

10th Election District

Case No. 87-111-A

LOCATION: Southeast Side of Sawmill Court, 2300 feet Northeast and Southeast of the Centerline of Sweet Air Road (14227 Sawmill Court)

DATE AND TIME: Tuesday, September 16, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a residential building setback of 40 feet in an R.C. 5 Zone in lieu of the required 50 feet

Being the property of Daniel J. Feeley, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JARLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3553

ARNOLD JARLON  
ZONING COMMISSIONER

JUAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

September 10, 1986

Mr. Daniel J. Feeley  
Mrs. Deborah W. Feeley  
17 Sunnyvale Court  
Cockeysville, Maryland 21030

RE: PETITION FOR ZONING VARIANCE  
SE/S of Sawmill Ct., 2300' NE and SE of the c/l of  
Sweet Air Rd. (14227 Sawmill Ct.)  
10th Election District  
Daniel J. Feeley, et ux - Petitioners  
Case No. 87-111-A

Dear Mr. and Mrs. Feeley:

This is to advise you that \$78.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please have the check payable to Baltimore County, Maryland, and remit to, Towson, Maryland

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 025520

DATE: \_\_\_\_\_ ACCOUNT: \_\_\_\_\_  
AMOUNT: \$78.00  
PAID TO: \_\_\_\_\_  
FOR: \_\_\_\_\_  
VALIDATION OR SIGNATURE OF CASHIER: \_\_\_\_\_

PETITION FOR ZONING VARIANCE  
10th Election District  
Case No. 87-111-A

LOCATION: Southeast Side of Sawmill Ct., 2300' NE and SE of the Centerline of Sweet Air Rd. (14227 Sawmill Ct.)

DATE AND TIME: Tuesday, September 16, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance to permit a residential building within of 40' from the property of Daniel J. Feeley, et ux, at 111 W. Chesapeake Avenue, Towson, Maryland, in the event that the Petitioner's is granted a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, reserve any request for a variance of said permit during this period for appeal and will, however, reserve any request for a variance of said permit during this period for appeal and will, however, reserve any request for a variance of said permit during this period for appeal.

By Order of  
ARNOLD JABLON  
Zoning Commissioner  
of Baltimore County  
8/26/86 Aug. 26

## CERTIFICATE OF PUBLICATION

TOWSON, MD., August 28, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 28, 1986.

THE JEFFERSONIAN,

*Sharon Sander O'Connell*

Publisher

Cost of Advertising

24.75

## CERTIFICATE OF PUBLICATION

TOWSON, MD., August 27, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 27, 1986.

TOWSON TIMES,

*Sharon Sander O'Connell*

Publisher

38.25

Mr. Daniel J. Feeley  
Mrs. Deborah W. Feeley  
17 Sunnyvale Court  
Cockeysville, Maryland 21030

August 4, 1986

### NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE  
SE/S of Sawmill Ct., 2300' NE and SE of the  
c/l of Sweet Air Rd. (14227 Sawmill Ct.)  
10th Election District  
Daniel J. Feeley, et ux - Petitioners  
Case No. 87-111-A

TIME: 9:30 a.m.

DATE: Tuesday, September 16, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

*Arnold Jablon*  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 019988

DATE: 8/18/86 ACCOUNT: 01-615-000

AMOUNT: \$ 35.00

RECEIVED FROM: Daniel J. Feeley

FOR: 18

VALIDATION OR SIGNATURE OF CASHIER

### BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
26th day of July, 1986

*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner

Petitioner: Daniel J. Feeley, et ux  
Petitioner's Attorney: Received by: James E. Dyer  
Chairman, Zoning Plans Advisory Committee

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon  
Zoning Commissioner Date: August 21, 1986

FROM: Norman E. Gerber, AICP, Director  
Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 87-74-A, 87-75-A, 87-76-A, 87-77-A, 87-81-A, 87-82-A, 87-83-A, 87-84-A, 87-87-A, 87-88-A, 87-106-A, 87-107-A, 87-108-A, 87-111-A, 87-112-A, 87-113-A and 87-114-A

There are no comprehensive planning factors requiring comment on these petitions.

*Norman E. Gerber*  
Norman E. Gerber, AICP  
Director

NEG:JGH:sim

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 20, 1986

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

000

Chairman

MEMBERS

Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Mr. Daniel J. Feeley  
17 Sunnyvale Court  
Cockeysville, Maryland 21030

RE: Item No. 18 - Case No. 87-111-A  
Petitioners: Daniel J. Feeley, et ux  
Petition for Zoning Variance

Dear Mr. Feeley:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:kbb

Enclosures



BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-3550

STEPHEN E. COLLINS  
DIRECTOR

July 22, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 14, 15, 17, 18, 19, and 20.

Very truly yours,

Michael S. Flanigan  
Traffic Engineer Associate II

MSF:lt



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204-2586  
494-4500

PAUL H. REINCKE  
CHIEF

July 30, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

RE: Property Owner: Daniel J. Feeley, et ux

Location: SE/S Sawmill Ct., 2300' NE and SE of the centerline of Sweet Air Road

Item No.: 18

Zoning Agenda: Meeting of 7/22/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ( X ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *C. E. H. Kelly 7-31-86*  
Planning Group  
Special Inspection Division

Noted and  
Approved: *John F. O'Neill*  
Fire Prevention Bureau

/mb



BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3610

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

AUGUST 20, 1986

Re: Zoning Advisory Meeting of JULY 22, 1986  
Item # 18  
Property Owner: DANIEL J. FEELEY, et al  
Location: SE/S SAWMILL CT. 2300'  
NE+SE OF THE E OF SWEET AIR RD.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ( X ) There are no site planning factors requiring comment.
- ( ) A County Review Group Meeting is required.
- ( ) A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ( ) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ( ) A record plat will be required and must be recorded prior to issuance of a building permit.
- ( ) The access is not satisfactory.
- ( ) The circulation on this site is not satisfactory.
- ( ) The parking arrangement is not satisfactory.
- ( ) Parking calculations must be shown on the plan.
- ( ) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ( ) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-53 of the Development Regulations.
- ( ) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ( ) The amended Development Plan was approved by the Planning Board on \_\_\_\_\_.
- ( ) Landscaping must comply with Baltimore County Landscape Manual.
- ( ) The property is located in a deficient service area as defined by Bill 173-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is \_\_\_\_\_.
- ( ) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 173-79, and as conditions change traffic capacity may become more limited. The basic services areas are re-evaluated annually by the County Council.
- ( ) Additional comments: \_\_\_\_\_

cc: James Russell

Stephen A. Borer  
Chief, Current Planning and Development



BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3610

July 31, 1986

TED ZALESKI, JR.  
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 18 Zoning Advisory Committee Meeting are as follows:

Property Owner: Daniel J. Feeley, et ux  
Location: SE/S Sawmill Court, 2300 feet NE and SE of C/L of Sweet Air Road  
District: 10th.

APPLICABLE ITEMS ARE CIRCLED:

- ( A ) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.A.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- ( B ) A building and other miscellaneous permits shall be required before the start of any construction.
- ( C ) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- ( D ) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- ( E ) All Use Groups except R-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- ( F ) The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- ( G ) The requested variance appears to conflict with Section(s) \_\_\_\_\_ of the Baltimore County Building Code.
- ( H ) When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use \_\_\_\_\_ to Use \_\_\_\_\_, or to Mixed Use \_\_\_\_\_. See Section 312 of the Building Code.
- ( I ) The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 514.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

J. Comments:

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 Chesapeake Avenue, Towson, Maryland 21204.

*Mark E. Burnham*  
By: C. E. Burnham, Chief  
Building Plans Review

L/27/86